



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

July 23, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SACRAMENTO UPDATE

Pursuit of County Position on Legislation

AB 1821 (Cohn), as amended on July 6, 2004, would establish a nursing education contract program in the Office of Statewide Health Planning and Development to provide funding for programs that educate and train licensed vocational and registered nurses. The program would implement the nursing education component of the Nurse Workforce Initiative, which appropriated \$60 million in Federal Workforce Investment Act (WIA) funds in 2002 to address California's growing nursing shortage. Approximately \$24 million remains available from those funds to expand nursing education programs.

The Department of Health Services (DHS) indicates that it has significant problems recruiting and retaining licensed nurses to work in County facilities. This situation is exacerbated by the recently-imposed nurse staffing regulations, which are estimated to cost \$40 million annually. One of the County's best sources for recruiting new registered nurses is the Los Angeles County College of Nursing and Allied Health (College), which is a two-year accredited college owned by the County and operated by the LAC+USC Healthcare Network, and which meets the requirements for the program established by AB 1821. Thirty to fifty percent of its graduates go to work in medically underserved areas, primarily County health facilities.

Because AB 1821 would provide funding to schools of nursing, such as the College, to expand nursing programs and address the nursing shortage, DHS recommends that the County support this measure, and we concur. Support for AB 1821 is consistent with County policy to support measures which would permit the College to receive State

funding, and to support enhanced funding for nursing education and training at public universities and teaching hospitals, as well as recruitment and retention of nurses and physicians into medically underserved areas. **Therefore, our Sacramento advocates will support this bill.**

AB 1821 is sponsored by the author and supported by the American Nurses Association of California, California Healthcare Association, California State Employees Association, California State Rural Health Association, California State University, Central Valley General Hospital, Community Medical Centers, Madera Community Hospital, and Service Employees International Union. It is opposed by the California Labor and Workforce Development Agency. AB 1821 passed the Senate Health Committee on July 2, 2004 by a vote of 8 to 3, and has been referred to the Senate Appropriations Committee.

SB 1302 (Alarcon), as amended on May 24, 2004, would require the California Department of Health Services to conduct random annual inspections of water-vending machines and retail water facilities, and make all information relating to the inspections available to the public. It would require the Department to conduct a consumer education campaign to inform the public about the major contaminants found in water sold in these facilities, the source of the contaminants, and the process for filing complaints. The Department would also be required to assess licensed water-vending and retail water vendors a fee sufficient to offset the cost of the program and allows the Department to delegate responsibility for implementation to county officials. If the State delegates responsibility for implementation of the program to the County, the County would be authorized to assess this fee.

According to the author, SB 1302 is needed because the State is not adequately monitoring water-vending machines and retail water stores due to lack of resources, posing a threat to vulnerable communities. A Public Policy Institute Survey released in June of 2002 found that 55 percent of Latinos typically drink bottled water, compared to 39 percent of all adults. In low-income Latino communities, much of the bottled water consumed is vended water, which is usually the least expensive option. Proponents believe that it is critical that the State ensure vending machines and retail water stores meet drinking water standards and that vended water consumers receive water quality reports similar to those already provided to tap water consumers.

Opponents argue that SB 1302 is unnecessary and redundant because vended water begins with safe municipal water regulated by local, State, and Federal agencies which is then treated by carbon filtration, reverse osmosis, micron filtration, and UV disinfection. They further contend that the bill's requirement for duplicative and costly testing will add additional costs for consumers least able to afford them and for small businesses which rely on revenue from vended water, and could force vended water providers out of business.

The County Department of Health Services (DHS) and Agricultural Commissioner/Weights and Measures (Agricultural Commissioner) indicate that SB 1302 would provide more stringent regulation of retail water facilities and water-vending machines to protect the consumer. While supportive of the purpose of the bill, DHS and the Agricultural Commissioner suggest that it can be improved by amendments which would provide clarification and enhance inspection provisions. DHS and the Agricultural Commissioner recommend that the County support SB 1302 and seek the following amendments, and we concur:

1. Provide on-site access to the vending machines in order to avoid costly delays resulting from scheduling random inspections of vending machines.
2. Require the water sampling to be performed by the enforcement agency rather than the machine operator in order to preserve the integrity of the sampling process.
3. Clarify what will satisfy the requirements for the consumer education program and which agency or agencies will be responsible for the program.
4. Clarify the mechanism for collecting penalty fees for noncompliance, the level of penalties for noncompliance, and which violations would warrant such penalties.

Consistent with County policy to support legislation to protect and improve drinking water supplies, recreational waters, and fish and game ecosystems by utilizing evidence-based approaches, **our Sacramento advocates will support SB 1302 and seek the recommended amendments.**

SB 1302 is cosponsored by the Environmental Justice Coalition for Water and the Latino Issues Forum. It is supported by the Breast Cancer Fund, California Communities Against Toxics, Clean Water Action, Coast Action Group, Environmental Working Group, Mono Lake Community, National Environmental Trust, Natural Resources Defense Council, and the Sierra Club of California. The measure is opposed by the California Chamber of Commerce, Carniceria Chapala, Culligan International Company, Favorite Drive Liquor, Glacier Water Inc., Jons Marketplace, Ladd Liquor Store, Payless Food, and Vallarta Supermarkets. SB 1302 passed the Assembly Health Committee on June 23, 2004 by a vote of 10 to 6 and is set for hearing on August 11, 2004 in the Assembly Appropriations Committee.

Status of County-Interest Legislation

County-supported AB 488 (Parra), which would require the Department of Justice (DOJ) to disseminate registered sex offender information pursuant to Megan's Law via an Internet website operated by the DOJ, and allow qualified offenders to petition for the removal of their information from the Internet, was amended on July 19, 2004 to

appropriate \$650,000 from the General Fund to the DOJ to implement this act, and to include an urgency clause. AB 488 remains in the Senate Appropriations Committee where it awaits further action.

County-supported AB 1432 (Firebaugh), which would eliminate provisions of California law barring California prosecution based on foreign convictions or acquittals, and allow credit for actual time served in a foreign country for the same crime, was placed on the Senate Appropriations suspense file and awaits further action.

County-support and amend, AB 2222 (Koretz), which would protect the boating public from carbon monoxide poisoning by prohibiting body surfing in the wake of a boat, or standing on a swim step of a boat except for short periods of time, was sent to the Senate Appropriations Committee on July 21, 2004, and was placed on the suspense file. According to the author's office, they will accept the County's amendment to exempt rescue activities from the prohibition thereby allowing lifeguards to perform rescue operations.

County-opposed, unless amended, SB 1462 (Kuehl), which would, among other things, require a local planning agency to refer a general plan or any substantial changes to a general plan before it is adopted by the local jurisdiction to the military, and also to provide the military with a copy of a complete project application that will affect military installations, low-level flight paths, or special use airspace, was amended on July 19, 2004 to require local agencies to forward all qualified projects that are received after January 1, 2005 to the military. SB 1462 remains in the Assembly Appropriations Committee where it awaits a hearing date.

We will continue to keep you advised.

DEJ:GK
MAL:JL:MS:ib:hg

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants